

REGULAR CITY COUNCIL MEETING
AUGUST 25, 1997

PRESENT

Don Dafoe
Gayle Bunker
Robert Dekker
Robert Droubay
Dale Roper
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

Neil Forster

Public Works Director

ALSO PRESENT

Dorothy Jeffery
Richard Waddingham
Greg Schafer
Thomas Chandler
Russell Greathouse
Derin Phelps

City Recorder
City Attorney
City Employee
City Resident
Property Owner
Millard County Chronicle/Progress

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as Secretary. Mayor Dafoe stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, by personal delivery, at least two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held August 11, 1997 were presented for consideration and approval.

Council Member Gayle Bunker MOVED to approve the minutes of the Public Hearing held August 11, 1997, as presented. The motion was SECONDED by Council Member Robert

Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held August 11, 1997 were presented for consideration and approval.

Council Member Dale Roper noted a spelling error on Page 5, the third sentence of the paragraph regarding "Final Approval of Design and Bid Price from Bona Signs for Marquee", the first word is misspelled. The spelling should be corrected to "was".

Following discussion, Council Member Dale Roper MOVED to approve the minutes of the Regular City Council Meeting held August 11, 1997, as corrected. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following review, Council Member Gayle Bunker MOVED to approve the accounts payable, in the amount of \$50,162.64. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

CITY ATTORNEY RICHARD WADDINGHAM: DRAFT ORDINANCE RELATING TO LICENSING AND REGULATION OF SEXUALLY ORIENTED BUSINESSES - RECOMMENDATION OF PLANNING & ZONING COMMISSION.

Mayor Dafoe stated that the Planning & Zoning Commission has reviewed this draft ordinance and has recommended that these businesses be approved as a Conditional Use in the Industrial Development Zone. The Planning & Zoning Commission has also recommended that these businesses be restricted from locating within 1,000 feet of like businesses, businesses licensed for the sale of alcohol, and also be restricted from locating within 1,000 feet of schools, churches, and residences.

City Attorney Waddingham advised the Council that he could have the draft ordinance in final form for the next meeting of the City Council. Mayor Dafoe requested that the ordinance be put on the agenda for adoption at the City Council meeting to be held September 8, 1997.

MAYOR DON DAFOE: PROPOSED ZONE CHANGE FROM R-1-B TO R-4 ON
PROPERTY LOCATED AT APPROXIMATELY 250 NORTH 350 EAST.

ORDINANCE NO. 97-182

AN ORDINANCE OF THE CITY OF DELTA, UTAH AMENDING THE ZONE DISTRICT
BOUNDARIES TO RECLASSIFY CERTAIN PROPERTIES LOCATED AT
APPROXIMATELY 250 NORTH 350 EAST IN DELTA, UTAH FROM R-1-B (SINGLE
FAMILY RESIDENTIAL) TO R-4 (MULTI-FAMILY RESIDENTIAL).

Mayor Dafoe noted that a public hearing was held, just prior to this meeting, for the purpose of receiving public comment on this matter; no negative comments concerning the proposed zone change were received.

Council Member Robert Dekker MOVED to adopt Ordinance No. 97-182, an ordinance amending the zone district boundaries to reclassify certain properties located at approximately 250 North 350 East in Delta, Utah from R-1-B (Single Family Residential) to R-4 (Multi-Family Residential). The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Gayle Bunker	Yes
Robert Dekker	Yes
Robert Droubay	Yes
Dale Roper	Yes
Glen Swalberg	Yes

The motion passed unanimously.

MAYOR DON DAFOE: BIDS FOR FRONT END LOADER.

Mayor Dafoe advised the Council that, following discussion of this matter at the last Council Meeting, he had talked with City Attorney Richard Waddingham, who informed Mayor Dafoe that when bids are requested, the lowest bid must be accepted. Mayor Dafoe recommended that the bid of Scott Machinery, which was the lowest bid, be approved. The bid was for a John Deere Model 544H and the bid price was \$98,045.00.

Council Member Gayle Bunker MOVED to approve the bid of Scott Machinery, in the amount of \$98,045.00 for a John Deere Model 544H Front End Loader. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESSCITY RECORDER DOROTHY JEFFERY: APPOINTMENT OF ELECTION JUDGES.

City Recorder Dorothy Jeffery requested approval of the following individuals as election judges to serve in the Municipal Election to be held November 4, 1997:

Area North of Main Street

Shauna Nelson

Teresa Monsen

Jill Droubay

Area South of Main Street

Lynn Jeffery

Liz Webb

Rita Byrd

Marie Young - Alternate

Mayor Dafoe recommended that the individuals presented be appointed as election judges. Council Member Robert Droubay MOVED to approve and appoint the individuals presented by City Recorder Dorothy Jeffery as election judges for the Municipal Election to be held on November 4, 1997. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CITY ATTORNEY RICHARD WADDINGHAM: ORDINANCE VACATING UTILITY EASEMENT ON LOTS 14 AND 15, WHITE SAGE SUBDIVISION.

ORDINANCE NO. 97-183

AN ORDINANCE TO AMEND THE WHITE SAGE SUBDIVISION PLAT, AFFECTING THE WHITE SAGE SUBDIVISION PROPERTY LOCATED IN DELTA, UTAH, BY VACATING CERTAIN PUBLIC UTILITY EASEMENTS LOCATED BETWEEN LOT 14 AND LOT 15, WHITE SAGE SUBDIVISION.

Mayor Dafoe reminded the Council that this item was approved in the Regular City Council Meeting held August 11, 1997 as an Administrative Order. When City Attorney Waddingham checked the file on the utility easement vacated for Daniel Piacitelli, it was done as an ordinance. In order to be consistent, City Attorney Waddingham felt that this matter should be handled in the same manner; i.e., adopting an ordinance vacating the utility easement.

Following this explanation, Council Member Glen Swalberg MOVED to adopt Ordinance No. 97-183, an ordinance to amend the White Sage Subdivision Plat, affecting the White Sage Subdivision property located in Delta, Utah, by vacating certain public utility easements located between Lot 14 and Lot 15, White Sage Subdivision. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Gayle Bunker	Yes
Robert Dekker	Yes
Robert Droubay	Yes
Dale Roper	Yes
Glen Swalberg	Yes

The motion passed unanimously.

OTHER BUSINESS

Mayor Dafoe mentioned that he will be attending a meeting of the Mayors and County Commissioners in Fillmore on Wednesday, August 27, 1997. At that time, Mayor Dafoe intends to ask the County Commissioners to install another bin at the County landfill dump site at approximately 500 East and 800 North. He also intends to advise the County Commission that Delta City has discussed hiring an animal control officer to see if he can encourage the other Mayors and County Commissioners to think about the possibility of hiring a full time person for animal control, possibly one for East Millard and one for West Millard, in order to control animals county wide.

Council Member Glen Swalberg reported that he had received a telephone call complaining of smoke from a farmer burning a field south of town. It was the feeling of the Council that residents should realize that they live in an agricultural area and need to be tolerant of the farming activities.

Council Member Glen Swalberg received a call questioning whether the City has a back up person for the Water Master. Council Member Swalberg was advised that the Delta City Water Master is Wayne Turner. In his absence, Jack Thomas handles the Water Master duties and, in the event Jack Thomas is not available, Ken Clark handles the duties.

Council Member Glen Swalberg has also received a telephone call complaining about the painted

lines on Main Street being worn off. Mayor Dafoe reported that the State has been cleaning up Main Street and will be painting the lines this week.

Council Member Gayle Bunker noted that some of the center lines on side streets in Delta City need to be studied to determine whether or not they should be repainted. In some areas, the lines are located so as to make it difficult to drive in the correct lane. In addition, some lines need to be changed and some parking areas need to be changed. Mayor Dafoe asked City Attorney Richard Waddingham to draft an ordinance to change the parking on 200 West, from Main Street to 100 South, to parallel parking. The Council felt that, while changing parking, the area on Topaz Boulevard should be changed to "No Parking" from 400 East to the restaurant located on the corner of Topaz Boulevard and Highway 6. It was also questioned whether parking needs to be changed on 200 North between 200 West and 300 West.

Council Member Glen Swalberg mentioned that Steve Draper had requested that Delta City assist with the costs of the canopy over the stage in the City Park. The Rotary Club provided most of the funds for the canopy, but there are three outstanding debts: \$93.98 owed to Walker Lumber, and \$50.00 owed to Delta Welding, and a small amount owed to Losee Lumber. Mayor Dafoe stated that he had discussed the matter with Mr. Draper and instructed Council Member Swalberg to contact the vendors to have them re-bill the outstanding amounts to Delta City.

Council Member Dale Roper expressed concern regarding the puncture weeds scattered all around town on the edge of the roads. The weeds need to be chopped at the roots, then loaded up and removed. Council Member Glen Swalberg mentioned a hazard being caused by weeds obscuring vision at the corner of 100 South and 200 West. Mayor Dafoe will have the Public Works Department cut the weeds, inasmuch as they are on the City right-of-way.


Mayor Dafoe mentioned the danger created by a sign located too close to the street at the Deltan Inn Motel at Main Street and 350 East. The sign makes it difficult to see traffic coming from the West.

Mayor Dafoe has notified the Sheriff's Department to advise them that 450 North Street has been opened to thru traffic and asked that the area be patrolled closely for speeding and for high school students cutting across privately owned vacant lots in the area.

Council Member Gayle Bunker asked when the new marquee sign will be delivered and installed by Bona Signs. Council Member Robert Droubay answered that we were told four to six weeks, so it should be within four weeks from now.

Mayor Dafoe asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Dafoe declared the meeting adjourned at 7:55 p.m.



DON DAFOE, Mayor



DOROTHY JEFFERY, City Recorder

MINUTES APPROVED: RCCM 09-22-97